

MINUTES OF MEETING MARCH 25, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 25th day of February 2008, the Commissioners' Court convened the Voting Session at 9:17 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 11:29 AM.

The Commissioners Court reconvened the Voting Session at 11:55 AM.

The Commissioners Court recessed the Voting Session at 11:55 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:45 PM and adjourned at 1:46 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:46 PM and adjourned at 2:04 PM.

The Commissioners Court reconvened the Voting Session at 2:05 PM.

The Commissioners Court retired to Executive Session at 3:53 PM.

The Commissioners Court reconvened the Voting Session at 4:14 PM.

The Commissioners Court adjourned the Voting Session at 4:17 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED TWO PORTIONS OF RIGHT OF WAY, ONE BEING A PORTION OF AN UN-NAMED RIGHT OF WAY WITH THE OTHER BEING A PORTION OF DORADO PASS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 OF LAKEHURST SUBDIVISION AND VACATE TWO 20 FOOT UNSPECIFIED EASEMENTS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 OF LAKEHURST SUBDIVISION. (COMMISSIONER DAUGHERTY) (ACTION ITEM #20) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 20 for a summary of the action item.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR); Tom Hennig, Travis County Resident; Jim Wittliff, Planner, Land Answers; and Danny Martin P.E., Engineer, Malone Wheeler Inc. representing Toll Brothers.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Scott Johnson, Project Manager, Central Texas Electric Lawn Mower Program; Chris Fanuel, Executive Assistant, Commissioner Precinct 1 Office; Jennifer Gayle, Travis County Resident. (9:46 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1 and Items 5, 6.A&B, 8, 9.A&B, 10, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 27, 28, 29, 30.A&B, 31, and 33.A-P. (10:25 AM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MARCH 11, 2008. (3:53 PM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item C2.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	abstain
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

SPECIAL ITEM

2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:57 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

No action necessary on Item 2.

Clerk's Note: By taking no action a burn ban will not be imposed.

Item 2 to be reposted on April 1, 2008.

RESOLUTIONS & PROCLAMATIONS

3. APPROVE PROCLAMATION DECLARING MARCH 25, 2008 AS "MAJOR DAVID BALAGIA DAY" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:57 AM)

Members of the Court heard from: Major David Balagia, Corrections Division, Travis County Sheriff's Office (TCSO); Greg Hamilton, Travis County Sheriff; and Cheryl Brown, Executive Assistant, County Judge's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Proclamation in Item 3.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

4. APPROVE RESOLUTION RECOGNIZING THE FOLLOWING TRAVIS COUNTY EMPLOYEES FOR LONG AND DEDICATED SERVICE: (10:10 AM)

A. TERESA HOWARD; AND

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources; and Teresa Howard, Records Services Manager, Records Management and Communication Resources.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.A.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

4. APPROVE RESOLUTION RECOGNIZING THE FOLLOWING TRAVIS COUNTY EMPLOYEES FOR LONG AND DEDICATED SERVICE: (10:19 AM)

B. MARY ANN CARMONA.

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources; and Mary Ann Carmona, Office Specialist, Sr., Records Management and Communication Resources.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.B.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PLANNING AND BUDGET DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:25 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:25 AM)
 - A. GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR TRAVIS COUNTY TO PARTICIPATE IN THE SECOND YEAR OF THE POTENTIAL FIVE-YEAR PARENTING IN RECOVERY PROJECT WITH TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICES SERVING AS THE REGIONAL PARTNERSHIP PROJECT LEAD; AND
 - B. GRANT CONTRACT AMENDMENT WITH THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR THE 2007 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT TO MODIFY THE ORIGINAL ALLOCATION DOWNWARD TO REFLECT AN AWARD BASED UPON ACTUAL NUMBER OF PERSONNEL ON TRAVIS COUNTY'S SPECIAL WEAPONS AND TACTICS SQUAD. (10:25 AM)

Clerk's Note: Items 6.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY DOWNTOWN REDEVELOPMENT INITIATIVE AND RELATED ISSUES, INCLUDING THE FOLLOWING: (2:05 PM)

A. SITE OPTIONS FOR NEW CIVIL COURTS BUILDING;

B. NEEDS ASSESSEMENTS, INCLUDING:

1. NEEDS ANALYSIS TO ESTABLISH SPACE NEEDS FOR CIVIL AND CRIMINAL COURTS;
2. FAMILY LAW CENTER NEEDS AND INITIATIVE; AND
3. GENERAL GOVERNMENT DEPARTMENTS' SPACE NEEDS AND WHICH DEPARTMENTS REMAIN DOWNTOWN;

C. UTILIZATION OF COUNTY PROPERTIES, INCLUDING:

1. FUTURE UTILIZATION OF HEMAN MARION SWEATT HISTORICAL COURTHOUSE, INCLUDING EXPANSION, TECHNOLOGY AND UTILITY INFRASTRUCTURE;
2. FUTURE UTILIZATION OF RUSK BUILDING; AND
3. FUTURE UTILIZATION OF COUNTY OWNED PROPERTY ON AIRPORT BOULEVARD;

D. REVISED SCOPE OF ADDITIONAL SERVICES FOR BROADDUS CONTRACT AND ESTABLISH SCHEDULE FOR PRESENTATION OF COMPLETED PHASE I REPORT;

E. FUTURE OF COUNTY SPACE COMMITTEE; AND

F. COORDINATION OF CERTAIN COUNTY STAFF AND CONSULTANTS.

Clerk's Note: Items 7.A-F are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court discussed the Civil Courthouse and County Redevelopment Project Process Road Map and Decision Framework document presented to the Court from Facilities Management.

ITEM 7 CONTINUED

Members of the Court heard from: Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); Leslie Stricklan, Project Manager, Facilities Management; The Honorable John K. Dietz, Judge, 250th District Court; Cyd Grimes, Travis County Purchasing Agent; Roger El Khoury, Director, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; Susan Spataro, Travis County Auditor; and The Honorable Eric Shepperd, Judge, County Court at Law Number Two.

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize Leslie Stricklan, Project Manager, Facilities Management and Belinda Powell, Capital Planning Coordinator, PBO to get together, try to resolve their differences in a prospective concept etc., and try to get down to the big issues on which they still have differences or disagreements, and that after that Commissioner Eckhardt and Judge Biscoe try to meet with them and resolve those and bring back to the Court a document that probably will represent all of the issues that we have been able to agree on and points of disagreement and try to give the pros and cons for each prospective and land on it that way. The document will then be shared with all interested parties.

A Restatement of the previous Motion was made by Judge Biscoe to authorize Leslie Stricklan, Project Manager, Facilities Management and Belinda Powell, Capital Planning Coordinator, PBO to take the Facilities Management document that Ms. Powell has marked up and that they sit down once or twice as needed and try to work through where they disagree and after that exercise they would generate, hopefully, another document or this document revised then Commissioner Eckhardt and Judge Biscoe would meet with them to discuss points of disagreement and after we have done that as best we can then we will share that document with all interested parties. That may take a couple of weeks.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 7 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we drop the AFL-CIO building from the list of potential sites.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Discussion only on Items 7.D-F. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

8. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$393,386.23 FOR THE PERIOD OF MARCH 7 TO MARCH 13, 2008. (10:25 AM)

Clerk's Note: Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:25 AM)

A. ROUTINE PERSONNEL AMENDMENTS; AND

B. NON-ROUTINE PERSONNEL ACTIONS – TEMPORARY EMPLOYEE EXTENSIONS - TRAVIS COUNTY CODE SECTION 10.076(A)(16).

Clerk's Note: Items 9.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT WITH VERIZON WIRELESS TO IMPROVE CELLULAR AND WIRELESS BROADBAND SIGNAL COVERAGE WITHIN COUNTY FACILITIES AT 5501 AIRPORT BOULEVARD AND 5555 AIRPORT BOULEVARD. (10:25 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. RECEIVE UPDATE ON THE MENTAL HEALTH PUBLIC DEFENDERS OFFICE PHASE I EVALUATION WITH STAFF RESPONSE PROVIDED BY THE SPANGENBURG GROUP. (10:30 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Kimberly Pierce, Planning Manager, Criminal Justice Planning; and Jeanette Kinard, Director, Travis County Mental Health Public Defender's Office.

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

12. DECLARE CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (10:25 AM)

Clerk's Note: Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE TWO CONTRACT AWARDS FOR PROFESSIONAL ENGINEERING SERVICES, COUNTY-WIDE SIDEWALK AND HIKE & BIKE FACILITY IMPROVEMENTS, RFQ NO. Q060304JW, TO THE HIGHEST QUALIFIED RESPONDENT, HALFF ASSOCIATES, INC. (TRANSPORTATION AND NATURAL RESOURCES) (10:25 AM)

Clerk's Note: Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S080142RG, TO T AND E BEACH VENTURES. (TRANSPORTATION AND NATURAL RESOURCES) (10:25 AM)

Clerk's Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (10:25 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARD FOR AUDIO-VISUAL INSTALLATION SERVICES, IFB NO. B080108VC, TO THE LOW BIDDER, DATA PROJECTIONS. (CIVIL AND CRIMINAL COURTS) (10:25 AM)

Clerk's Note: Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. APPROVE CONTRACT AWARD FOR THE GRANGER GARAGE ELEVATOR REFURBISHMENT, IFB NO. B080079JT, TO THE LOW BIDDER, EMR ELEVATOR, INC. (FACILITIES MANAGEMENT) (10:25AM)

Clerk's Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. APPROVE CONTRACT NO. PS080113RE, ENCOMPASS MEDICAL MANAGEMENT, INC., FOR EVALUATION SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (10:25 AM)

Clerk's Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. APPROVE CONTRACT AWARD FOR HVAC REPLACEMENT AT 2501 SOUTH CONGRESS, IFB NO. B080134DG, TO THE LOW BIDDER, THERMAL MECHANICAL CONTRACTORS INC. (FACILITIES MANAGEMENT)
(10:25 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED TWO PORTIONS OF RIGHT OF WAY, ONE BEING A PORTION OF AN UN-NAMED RIGHT OF WAY WITH THE OTHER BEING A PORTION OF DORADO PASS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 OF LAKEHURST SUBDIVISION AND VACATE TWO 20 FOOT UN-SPECIFIED EASEMENTS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 OF LAKEHURST SUBDIVISION.
(COMMISSIONER DAUGHERTY) (9:45 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 1.

Item 20 postponed until ready.

21. RECEIVE PRESENTATION ON VIZCAYA, A PROPOSED DEVELOPMENT PROJECT IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
(10:45 AM)

Members of the Court heard from: David Armbrust, Armbrust and Brown, LLP; Paul Fay, Principal and Chief Operating Officer (CEO), Haas & Haynie; and Mark Myer, Vice-President, Haas & Haynie.

Discussion only. No formal action taken.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON WAIVING SEPTIC PERMIT FEES FOR MARGARET UNTIED'S PROPERTY AT 1709 SARACEN ROAD. (COMMISSIONER DAUGHERTY) (11:23 AM) (11:29 AM) (4:16 PM)

Clerk's Note: Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Court discussed a requested waiver of Septic Permit Fees as the fee had already been paid and Transportation and Natural Resources Staff had already performed the necessary work for the previous owners of the property.

Members of the Court heard from: Stacey Scheffel, Flood Plain Manager, TNR; Joe Gieselman, Executive Manager, TNR; and Julie Joe, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we indicate our intention to adopt an appropriate policy to address that issue, and that since we understand what the policy is and are committed to doing it formally in the future, based on that assurance, I move that we approve the requested waiver of this fee because the work has already been done and our work is ministerial.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

23. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF CEDAR PARK RELATING TO THE REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN THE EXTRATERRITORIAL JURISDICTION IN COMPLIANCE WITH HOUSE BILL 1445/HOUSE BILL 1204. (COMMISSIONER DAUGHERTY) (10:25 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED RENEWAL OF A MEMORANDUM OF AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR LOCAL ENFORCEMENT OF HEAVY DUTY VEHICLE IDLING LIMITATIONS AND THE ASSOCIATED RESOLUTION FOR LOCAL ENFORCEMENT. (10:25 AM)

Clerk's Note: Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR STEINER RANCH PHASE 1 SECTION 9, NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF PRIVATE STREETS IN STEINER RANCH PHASE 1 SECTION 9, AND A LICENSE AGREEMENT FOR STEINER RANCH PHASE 1 SECTION 9, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:25 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING ROCKY CREEK RANCH PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (11:10 AM)
- A. ROCKY CREEK RANCH REVISED PREMINARY PLAN (414 TOTAL LOTS);
 - B. AMENDED AND RESTATED PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, KIRBY DEVELOPMENT, LLC.;
 - C. INDEMNIFICATION AGREEMENT WITH KD ROCKY CREEK, L.P. TO FUND THE TURN LANE IMPROVEMENTS ON FM 3238, HAMILTON POOL ROAD AT ROCKY CREEK BOULEVARD;
 - D. CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN THE STATE OF TEXAS AND TRAVIS COUNTY FOR TURN LANE IMPROVEMENTS WITHIN THE RIGHT OF WAY OF FM 3238, HAMILTON POOL ROAD;
 - E. USE OF ALTERNATIVE FISCAL FOR ROCKY CREEK RANCH, SECTION ONE; AND
 - F. USE OF TWO CASH SECURITY AGREEMENTS FOR ROCKY CREEK RANCH, SECTION ONE AND BOUNDARY STREET IMPROVEMENTS TO FM 3238. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 26.A-F are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Gene Lowenthal, President, Hamilton Pool Scenic Corridor Coalition; and Tom Letizia; Developer, Kirby Development LLC.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items 26.A-F.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

OTHER ITEMS

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:25 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR FEBRUARY 2008. (10:25 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF LILLIAN AARON TO FILL THE UNEXPIRED TERM OF JOE LYCHNER AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 1, NORTH LAKE TRAVIS FIRE AND RESCUE EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY) (10:25 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. RECEIVE STATE REQUIRED RACIAL PROFILING REPORT FOR CALENDAR YEAR 2007 FROM THE FOLLOWING: (10:25 AM)
- A. TRAVIS COUNTY CONSTABLE PRECINCT FIVE (CONSTABLE PRECINCT FIVE); AND
 - B. TRAVIS COUNTY CONSTABLE PRECINCT THREE (CONSTABLE PRECINCT THREE).

Clerk's Note: Items 30.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY SHERIFF'S OFFICE K9 UNIT TO TAKE THEIR ASSIGNED COUNTY VEHICLES TO JACKSONVILLE, MISSISSIPPI FOR CERTIFICATION TRAINING. (SHERIFF'S OFFICE) (10:25 AM)

Clerk's Note: Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY VISITATION CENTER. (3:53 PM)

Item 32 postponed until March 28, 2008.

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ELECTION SERVICES AGREEMENTS BETWEEN TRAVIS COUNTY AND EACH OF THE FOLLOWING ENTITIES: (10:25 AM)

- A. AUSTIN COMMUNITY COLLEGE;
- B. ANDERSON MILL MUNICIPAL UTILITY DISTRICT;
- C. CITY OF AUSTIN;
- D. CITY OF LAKEWAY;
- E. LAKESIDE MUNICIPAL UTILITY DISTRICT NO.3;
- F. LAZY NINE MUNICIPAL UTILITY DISTRICT NO. 1A;
- G. LAZY NINE MUNICIPAL UTILITY DISTRICT NO.1B;
- H. LAZY NINE MUNICIPAL UTILITY DISTRICT NO.1C;
- I. LAZY NINE MUNICIPAL UTILITY DISTRICT NO.1D;
- J. LAZY NINE MUNICIPAL UTILITY DISTRICT NO. 1E;
- K. LEANDER INDEPENDENT SCHOOL DISTRICT;
- L. LOST CREEK MUNICIPAL UTILITY DISTRICT;
- M. TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO.12;
- N. TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO.13;
- O. TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO.16; AND
- P. TRAVIS-CREEDMOOR MUNICIPAL UTILITY DISTRICT. (COUNTY CLERK'S OFFICE)

Clerk's Note: Items 33.A-P approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.0745, Personnel Matters Affecting County Advisory Body

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HANK PEAVLER DEVELOPMENT COMPANY, INC. AKA PEAVLER HANK DEVELOPMENT COMPANY, INC. (ANUSHKA DRESCHER RESALE DEED). ¹ (11:29 AM) (4:14 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to execute the prepared tax resale deed to Anushka Drescher, who has paid Travis County the sum of \$11,000.00 in cash.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

35. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE OF LAND FROM THE COMANCHE TRAIL CONSERVATION FUND AND JOSEPH F. LUCAS IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ² (11:29 AM) (4:15 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Item 35 pulled from the Agenda.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH PARKE PROPERTIES I AND II, L.P. AND GDF REALTY INVESTMENTS LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ² (11:29 AM)
(4:15 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Clerk's Note: The Court did not discuss Item 36.

Item 37 to be reposted on April 1, 2008.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFER(S) TO PURCHASE PROPERTY AT 9207/9301 JOHNNY MORRIS ROAD, LOCATED IN PRECINCT ONE. ^{1 AND 2} (9:18 AM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 37 postponed until April 1, 2008.

38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING OFFER RECEIVED FROM MR. PETER BARLIN TO PURCHASE APPROXIMATELY 132 ACRES OF LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2} (11:29 AM)
(4:16 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Members of the Court heard from: John Hille, Assistant County Attorney.

Item 38 not needed.

Item 38 to be reposted on April 1, 2008.

39. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET. AL. ¹ (11:29 AM) (4:16 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 39 to be reposted on April 1, 2008.

40. **REVISED LANGUAGE:** CONSIDER POSSIBLE APPLICANTS FOR EXECUTIVE MANAGER, PLANNING AND BUDGET AND TAKE APPROPRIATE ACTION. ³ (11:29 AM) (4:16 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion only. No formal action taken.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (4:17 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge